

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In Re: Michael Melendez, and Phyllis Melendez Debtors	Chapter 13 Case Number: 18-17608-AMC
Michael Melendez, and Phyllis Melendez Movants v. Bear Stearns Asset Backed Securities Trust 2004- AC1, Asset-Backed Certificates, Series 2004- AC1, U.S. Bank National Association, as Trustee Respondent	Related Doc.: 107

RESPONSE TO DEBTORS' MOTION FOR ORDER TO SHOW CAUSE

Bear Stearns Asset Backed Securities Trust 2004-AC1, Asset-Backed Certificates, Series 2004-AC1, U.S. Bank National Association, as Trustee, ("**Creditor**") through its Counsel, Stern & Eisenberg PC, respectfully requests the Court deny the Motion for Order to Show Cause filed by Michael and Phyllis Melendez ("**Debtors**") and in support thereof respectfully represents as follows:

1. Admitted.
2. Admitted.
3. Admitted in part, denied in part. It is admitted that the claim was transferred to Bear Stearns Asset Backed Securities Trust 2004-AC1, Asset-Backed Certificates, Series 2004-AC1, U.S. Bank National Association, as Trustee. *See* Doc. 110. The remainder of the averment is denied.
4. Admitted. By way of further response, Creditor filed a Transfer of Claim on August 23, 2024. *See* Doc. 110.
5. Debtors' Exhibit A is a response which speaks for itself. To the extent a response is required, the averment is denied. By way of further response, Creditor filed a Transfer of Claim on August 23, 2024. *See* Doc. 110. Even further, Creditor has confirmed receipt of the recent Trustee payments as follows:

Date Issued	Trustee Check No.	
7/17/2024	Check# 4006890	Received
8/14/2024	Check# 4007813	Received
9/11/2024	Check # 4008658	Pending receipt

6. The averment contains a request for relief to which no response is required. To the extent a response is required, the averment is denied. By way of further response, Creditor has satisfied its obligations under Fed. R. Bankr. P. 3001(e) and as begun accepting payments associated with this bankruptcy action. *See* Doc. 110.
7. The averment contains a request for relief to which no response is required. To the extent a response is required, the averment is denied. By way of further response, Creditor has satisfied its obligations under Fed. R. Bankr. P. 3001(e) and as begun accepting payments associated with this bankruptcy action. *See* Doc. 110.

WHEREFORE, Bear Stearns Asset Backed Securities Trust 2004-AC1, Asset-Backed Certificates, Series 2004-AC1, U.S. Bank National Association, as Trustee, respectfully requests this Court deny Debtors' Motion for Rule to Show Cause.

Respectfully Submitted:

Stern & Eisenberg, PC

By: /s/ Daniel P. Jones

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Date: September 23, 2024